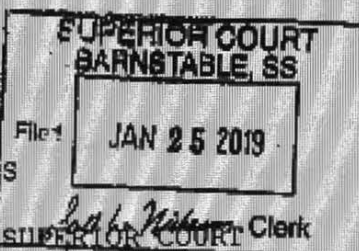


COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, ss

BARNSTABLE SUPERIOR COURT Clerk  
DOCKET NO: 1872CR00084



COMMONWEALTH

v.

THOMAS LATANOWICH

MOTION FOR A RULE 17 SUMMONS DUCES TECUM TO THE KEEPER OF  
RECORDS OF THE YARMOUTH POLICE DEPARTMENT FOR RECORDS OF  
SGT. SEAN GANNON

Pursuant to Mass. R. Crim. P. 17(a)(2), the Defendant, Thomas Latanowich, moves the court to issue a summons duces tecum directing the Keeper of Records of the Yarmouth Police Department, 340 Higgins Crowell Rd., W. Yarmouth, MA 02673 to produce to the Criminal Clerk's Office of the Barnstable Superior Court, 3195 Main St., Route 6A, Barnstable, MA 02630 one complete copy of the personnel file of Sgt. Sean Gannon, from the date of his hire to present.

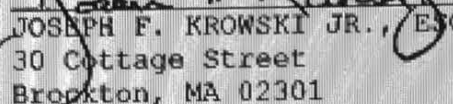
As reasons therefor, pursuant to Rule 17 the records are 1.) relevant, material, and potentially exculpatory; 2.) the records cannot be obtained without a court order; 3.) inspection of the records prior to trial will be a "real benefit to the defense" and are necessary to prepare for trial without unreasonable delay; and 4.) the requested materials are sought in "good faith." See Commonwealth v. Lampron, 441 Mass. 265,

269 (2004); Commonwealth v. Wanis, 426 Mass. 639 (1998);

Commonwealth v. Rodriguez, 426 Mass. 647 (1998).

The Defendant herein incorporates by reference the attached  
Affidavit of Counsel.

By his Attorney,

  
JOSEPH F. KROWSKI JR., ESQUIRE  
30 Cottage Street  
Brockton, MA 02301  
(508) 584-2555  
BBO: 640902

Dated: January 7, 2019

mscrfile:///c:/lawson/latasoweb/thomas/1906.01/157.pactornet/LEL1e



COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, ss

BARNSTABLE SUPERIOR COURT  
DOCKET NO: 1872CR00084

\_\_\_\_\_  
COMMONWEALTH )  
 )  
v. )  
 )  
THOMAS LATANOWICH )  
\_\_\_\_\_ )

ORDER

The Court hereby **ORDERS** that the Keeper of Records of the Yarmouth Police Department, 340 Higgins Crowell Rd., W. Yarmouth, MA 02673 shall produce to the Criminal Clerk's Office of the Barnstable Superior Court, 3195 Main St., Route 6A, Barnstable, MA 02630 one complete copy of the personnel file of Sgt. Sean Gannon from the date of his hire to present.

Said materials are to be produced in a sealed envelope or box marked on the exterior with the name and docket number of the above captioned case, the name of the Keeper of Records, and the date on which the records are delivered to the office of the Clerk.

\_\_\_\_\_  
Justice,  
Barnstable Superior Court

\_\_\_\_\_  
Date: